

REMARKS

Claims 1-14 and 18-22 remain pending in the application, with claims 1 and 8 being the independent claims. Reconsideration and further examination are respectfully requested.

In the Office Action, claim 1 was rejected under 35 USC § 102 over U.S. Patent 7,051,072 (Stewart); and claims 2-14 and 18-22 were rejected under 35 U.S.C. § 102(e) over U.S. Patent 7,043,687 (Knauss). Withdrawal of these rejections is respectfully requested for the following reasons.

Independent claim 1 is directed to a method for enabling at least one internal business process that uses a first data representation and that includes at least one activity that involves a trading partner to communicate with the trading partner through an interaction standard. A message having the first data representation is received from the internal business process, and the message automatically is converted into a corresponding message having the communication format specified by the interaction standard.

The foregoing combination of features is not disclosed by the applied art. For instance, Stewart does not disclose at least the presently recited feature of automatically converting a message having a data representation used by an internal business process into a corresponding message having a communication format specified by an applicable interaction standard.

In this regard, Stewart concerns the use of a collaboration hub for managing conversations among multiple trading partners. However, Stewart does not appear to say anything at all about automatically converting messages provided by an internal business process of any such trading partner, much less automatic conversion of messages as presently recited.

The specific portions of Stewart cited in the Office Action as showing the recited automatic conversion feature are Stewart's Abstract, Figure 1 and column 4 line 65 through

column 6 line 14 of Stewart. However, those portions of Stewart have been studied in particular detail and are not seen to say anything at all about any kind of automatic message conversion.

Stewart's Abstract generally references the use of a collaboration hub for hosting conversations among trading partners. However, the hub's purpose is only described as appropriately transferring (or routing) data between participants. Nothing in Stewart's Abstract indicates that its hub performs any kind of conversion at all. To the contrary, the final clause of Stewart's Abstract indicates that all participating trading partners must strictly observe certain defined communication protocols ("...a hub transport that allows a participant to send and receive data from the collaboration hub in accordance with the definitions of the collaboration space.").

Figure 1 of Stewart illustrates a collaboration system in which a collaboration server 116 interfaces between a workflow server 104 and an application server 102. See, e.g., column 11 lines 6-67 of Stewart. However, nothing in Figure 1 itself or in any other portion of Stewart indicates that the collaboration server 116 (or any other illustrated component) performs any kind of automatic conversion. Rather, Stewart only indicates that the function of collaboration server 116 is to appropriately route messages. See, e.g., column 11 lines of 64-67 of Stewart ("Messages from different trading partners, or in some instances the workflows of different trading partners, are filtered by the collaboration server, and routed to the appropriate recipients in a true collaborative fashion.").

Column 4 line 65 through column 6 line 14 of Stewart (the Summary section) generally discusses Stewart's system, as well as the supposed need for it. Consistent with the other portions of Stewart discussed above, Stewart's Summary describes the use of a collaboration hub for the sole purpose of routing messages between participants. See, e.g., column 5 lines 58-62 ("As conversations and business processes are initiated, executed and completed, conversation

management software tracks and manages these long-living conversations, ensures that they are completed, and orchestrates the overall process execution.”).

Once again, however, no mention is made of any kind of automatic conversion whatsoever. To the contrary, Stewart’s Summary clearly reiterates that all conversation participants must submit messages in strict accordance with defined communication protocols. See, e.g., column 5 lines 54-56 (“...well-defined and ordered sets of related messages are exchanged between trading partners.”); and column 6 lines 9-13 (“...a collaboration space defining the rules governing said transfer of data and the role of said participants, a hub transport that allows a participant to send and receive data from the collaboration hub in accordance with the definitions of the collaboration space.”).

In conclusion, similar to other conventional techniques, Stewart’s system requires its trading partner participants to exchange messages in accordance with very specific communication protocols, and Stewart contemplates that such messages will be generated by the business processes themselves. Accordingly, Stewart does not include even the slightest mention of automatically converting messages, as in the present invention.

Absent any teaching regarding this feature, claim 1 could not possibly have been anticipated by Stewart. Accordingly, claim 1 is believed to be allowable over the applied art.

As to the remaining rejection, withdrawal of Knauss as a prior-art reference is respectfully requested for the following reasons. As shown in the attached documents, the present invention was conceived prior to Knauss’s filing date of December 21, 2001, and due diligence in filing the application was exercised from before Knauss’s filing date until the application was actually filed.

In particular, the attached Declaration of Assignee shows that the present patent application was prepared by Eric Ho, as outside counsel to Hewlett-Packard. A marked-up initial draft of that patent application, which was sent from the first-named inventor (Mehmet Sayal) to Eric Ho on October 31, 2001 is attached hereto (as noted in the attached Declaration of Inventor). In addition, a redline showing changes from that draft to the present patent application also is attached hereto.

As shown in the attached redline, all of the inventive concepts already existed in the draft of October 31, 2001, which was prior to Knauss's filing date of December 21, 2001. At the same time, a number of modifications, including substantial additions of claims, took place before the application was actually filed. For example, outside counsel who was responsible for preparing the application, Eric Ho, met with at least the first-named inventor (Mehmet Sayal) on November 19, 2001, to discuss the patent application. See paragraph 4 of the attached Declaration of Inventor.

Moreover, as set forth in the attached Declaration of Assignee and the attached Declaration of Inventor, approvals had to be obtained first from all of the inventors, then from Hewlett-Packard's in-house attorney (Thomas Li) and then final approval of any changes made by Hewlett-Packard's in-house attorney had to be obtained from all of the inventors.

Paragraph 3 of the attached Declaration of Assignee notes that the process can take several weeks just from the time that Hewlett-Packard's in-house attorney receives a draft of the application. In addition, in the present case, all of this activity would have been taking place over the holidays, "during which, among other delays normally associated with the holiday season, Hewlett-Packard shuts down for at least one week."

In the present case, one of the inventors (the first named inventor, Mehmet Sayal) indicated his approval of a draft of the application on November 30, 2001. However, it is unclear whether the other inventors had approved at that point. In any event, even after all the inventors had approved, the application still would have been subject to review by Hewlett-Packard's in-house attorney, possible modification by outside counsel and then final approval by the inventors.

Given all of the activity that would have needed to occur, based on Hewlett-Packard's standard approval process, in order to effect the changes that were made from the early draft to the filed application, particularly in view of Hewlett-Packard's shutdown and other delays associated with the end of the year (e.g., expected unavailabilities of various individuals), it is reasonable to assume that obtaining the signed declaration on January 28, 2002 (as shown in the Declaration of record), before filing the application on January 30, 2002, would have involved diligent efforts.

Accordingly, based on earlier conception, coupled with Applicants' diligence, withdrawal of Knauss as a prior-art reference is respectfully requested.

In order to sufficiently distinguish Applicants' invention from the applied art, the foregoing remarks emphasize several of the differences between the applied art and Applicants' invention. However, no attempt has been made to categorize each novel and unobvious difference. Applicants' invention comprises all of the elements and all of the interrelationships between those elements recited in the claims. It is believed that for each claim the combination of such elements and interrelationships is not disclosed, taught or suggested by the applied art. It is therefore believed that all claims in the application are fully in condition for allowance, and an indication to that effect is respectfully requested.

If there are any fees due in connection with the filing of the currently submitted papers that have not been accounted for in this paper or the accompanying papers, please charge the fees to Deposit Account No. 08-2025. If an extension of time under 37 C.F.R. 1.136 is required for the filing of any of the currently submitted papers and is not accounted for in this paper or the accompanying papers, such an extension is requested and the fee (or any underpayment thereof) should also be charged to the Deposit Account.

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Respectfully submitted,
JOSEPH G. SWAN, P.C.

By Joseph G. Swan
Joseph G. Swan
Registration No. 41,338